

LEGISLATIVE UPDATE



Week of June 17, 2024

State Issues

<p>Legislative Update</p>	<p>This week, Cal Matters published a video piece highlighting the issues surrounding AB 977 (Rodriguez): Emergency Departments: Assault and Battery. You can watch it here: Penalties for Assaulting ER Workers SoCal Matters PBS SoCal - YouTube.</p> <p>The bill would increase penalties for assaulting hospital staff in emergency rooms.</p> <p>Health care workers in hospitals are increasingly subject to violent threats and attacks. Studies show that health care workers are five times more likely to experience workplace violence than employees in other sectors. A 2021 study found that 44% of nurses reported being subject to physical violence, while 68% reported verbal abuse.</p> <p>The two-year bill was initially caught up in the debates in the Legislature around the ongoing challenges in the public safety system, value of increased penalties, and the interest in not criminalizing patients with behavioral health conditions – which left victims without support.</p> <p>However, at the beginning of this year, the Assembly Public Safety Committee got a new chair (Kevin McCarty-Sacramento), and several new committee members, and the bill was able to secure some new champions.</p> <p>The bill is now moving and currently awaits action in Senate Appropriations Committee.</p>
<p>Budget Update</p>	<p>This week, the budget negotiations are behind the scenes, since both the Senate and Assembly Budget Committee hearings were cancelled this week.</p> <p>Thursday, June 27 is the deadline for Gov. Gavin Newsom to sign or veto the budget the Legislature passed last week — though we should expect several revisions to that budget before all is said and done. It also is the day for the Legislature to put a measure on the Nov. 5 ballot or pull them off in agreements with proponents.</p> <p>Health Care Ballot Measures/Budget Items. There are several big budget items that also have correlating ballot measures. In the health space, there are two. One sponsored by a coalition including California Medical Association, California Hospital Association, Planned Parenthood and others would put the Managed Care Organization (MCO) Tax into the State Constitution to require the Governor to provide those funds to health care providers. The second, which is sponsored by the California Children’s Hospital Association, would modernize the California Children’s Services Program, where children’s hospitals and others see the sickest kids in the State and increase certain reimbursements.</p> <p style="text-align: right;"><i>(more)</i></p>

<p>Budget Update (continued)</p>	<p>Both of these ballot measures, if passed, would mandate that the State pay for these programs every year – even if they do not currently appear in the budget bill. The Governor has some concerns, since he would prefer flexibility to make the decision how to spend funds instead of having the Constitution mandate funding. The Governor has been asking each of the proponents of these measures to remove them from the ballot and negotiations among the parties has been ongoing. If the measures remain on the ballot, State General Fund moneys will need to be provided.</p> <p>PAGA. Outside of the health policy space, one key deal has already been struck that will result in an initiative coming off the ballot. The first is a deal between the California Chamber of Commerce and the California Labor Federation. Their deal will remove a business-backed measure that would have repealed the Private Attorneys General Act (PAGA). The 2004 law allows workers to sue their employers for labor violations in a manner similar to a class action lawsuit.</p> <p>According to the Governor, “This proposal maintains strong protections for workers, provides incentives for businesses to comply with labor laws and reduces litigation.” You can find the Governor’s summary of the PAGA deal here.</p> <p>Climate. A climate-related bond measure is being developed for the November Ballot by the Legislature. The Governor has proposed to make substantial cuts in climate programs in this bad budget year, but the legislature and advocates would like to figure out how to keep those programs funded. Borrowing through a statewide bond is being hammered out and if they can all come to an agreement before the end of next week, we may get to vote on that in November.</p> <p>Retail Theft. Another outstanding issue that is garnering a lot of rancor in the Legislature and throughout the state is related to crime, particularly retail theft. The proposed ballot measure would repeal Proposition 47 from 2014, which reduced certain lower-level crimes to misdemeanors and set a \$950 threshold for shoplifting.</p> <p>Legislative leadership is pushing a package of bills that toughen various criminal justice policies around retail theft. These same legislative leaders are opposed to the ballot initiative, and the bills are all being amended to include a poison pill that would make inoperable the bill if the ballot measure is adopted. The Governor and others are trying to coerce the proponents into removing the issue from the ballot, and hoping the bills are able to apply that pressure.</p> <p>Next Steps. We are currently waiting for new Budget Trailer bills and other budget bills to be released – likely today or Saturday. The plan is to have them be voted on by Thursday of next week – the deadline for those ballot measures to be pulled – and in order to meet the deadlines, we will need to see those measures in print by no later than Monday. The timeline is dictated by the rule that requires bills to be available for review 72 hours before a final vote.</p>
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